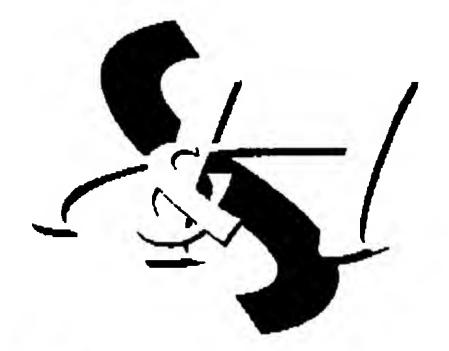
JAN 3 0 2006



# smith & hopen, p.a.

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# Fax

# INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office  Motthew J. Kohner, Art Unit: 3653		From:	Ronald E. Smith 1130.32		
Attn:			Client:			
Fax:	(571) 273-8300		Pages:	10 including coversheet		
Phone:	(571) 272-6939		Date:	January 30, 2006		
Re:	USSN: 10/708,612		CC:	Todd C. Wemer		
□ Urge	nt 🗹 For Review	☐ Please Cor	mment	□ Please Reply	☐ Please Recycle	
4 20 30 30 30 30 30 30 30 30 30 30 30 30 30						

#### Dear Examiner Kohner:

In response to the non-final office action mailed December 15, 2005, we enclose the following:

- Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 30, 2006 (2 pages); and
- 2) Amendment B with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 30, 2006 (7 pages).

Very respectfully,

Ronald E. Smith

USPTO Reg. No. 28,761

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are <u>not</u> the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

JAN 3 0 2006

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

: 10/708,612

Confirmation No.: 2611

Applicant:

: Todd C. Werner

Filed:

: 03/15/2004

Art Unit

: 3653

Examiner

: Matthew J. Kohner

Docket No.

: 1130.32

Customer No.

: 21,901

For

: Rocker Plate for Separating Sheets

Transmitted to Central Fax at (571) 273-8300

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

#### AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

#### **\$TATUS**

2. Applicants are independent inventors.

#### **EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

#### CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment A, including Amendments to the Claims and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Attn: Matthew J. Kohner, Art Unit 3653, (571) 273-8300, on January 30, 2006.

Dated: January 30, 2006

**April Turley** 

(Amendment Transmittal - Page 1 of 2)

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. I	)	(Col. 2)	(Col. 3) S			
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	
Total	5	Minus	20	= 0	x \$25 =	\$0	
Indep.	2	Minus	3	= 0	x \$100 =	\$0	
First Pre	esentation	of Multiple I	Dependent Clain	1	+ \$180 =	\$0	
	2.7	-			Total Addit. Fee	<b>\$0</b>	

• If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".

16 the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,

Reg. No. 28,761

Tel. No.: (727) 507-8558

Ronald E. Smith Smith & Hopen, P.A.

15950 Bay Vista Drive, Ste. 220

SIGNATURE OF PRACTITIONER

Clearwater, FL 33760

(Amendment Transmittal - Page 2 of 2)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

: 10/708,612

Confirmation No.: 2611

Applicant:

: Todd C. Werner

Filed:

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TC/A.U.

: 3653

Examiner

: Matthew J. Kohner

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Docket No.

: 1130.32

Customer No.

: 21,901

For

: Rocker Plate for Separating Sheets

Faxed to Technology Center 3600 at (703) 872-9306

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

#### **AMENDMENT B**

**Introductory Comments** 

Sir:

In response to the Examiner's Action mailed 12/15/2005, having a shortened statutory period for response set to expire 03/15/2006, the above-identified patent application is amended a second time as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 4 of this paper.